

FWP COMMISSION AGENDA ITEM COVER SHEET

Meeting Date: January 13, 2011

Agenda Item: Peregrine Falcon Take

Division: Wildlife

Action Needed: Approval of Tentative Rule

Time Needed for Presentation: 15 minutes

Background

The U.S. Fish and Wildlife Service delisted peregrine falcons in 1999 and Montana followed in 2005. Monitoring shows continued increases in the number of nesting pairs and production of young, primarily in western Montana. In 2009, the Montana Peregrine Institute reported 84 occupied nests and 176 young fledged from 79 successful nests for a rate of 2.2 juveniles per successful nest. This exceeds the 15 year average in Montana of 1.9 young fledged per successful nest. A full statewide survey was not completed in 2010 and therefore the recommendation for the 2011 take is based on 2009 productivity estimates and the agreed to take of no more than 5% in FWP's 2007 Final Environmental Assessment.

In 2007, the USFWS updated rules for a limited take of nestling peregrines for falconry in the western U.S. with a Final Environmental Assessment. On Dec.8, 2009 the USFWS published a rule that will allow Montana, Mississippi, Oklahoma, Pennsylvania, Texas and Utah to operate under the new federal falconry regulations giving each state more authority in managing take.

Sixteen Montana falconers applied for the five take permits in 2010. Two peregrines were taken.

Public Involvement Process & Results:

One 2010 permit holder suggested a longer take period to allow for the capture of older fledglings. Another 2010 permit holder suggested a quota system be implemented to allow greater opportunity to all qualified falconers. Representatives of the Montana Falconers Association have suggested an increase in allowable take based on 2010 observed productivity.

Agency Recommendation & Rationale:

Based on findings in FWP's 2007 Final Environmental Assessment and the current level of interest in peregrine take permits :

- authorize take of five nestling peregrines in 2011 (this is <5% of 2009 fledged young, the percentage agreed to in the EA)
- restrict take to June 1-August 31
- limit take to one peregrine for each successful applicant
- prohibit take from eastern Montana to encourage expansion of the breeding population
- prohibit take from certain nests of high value wildlife viewing opportunity and/or part of on-going agency approved research efforts
- prohibit the sale, barter or exchange of birds from the wild

Proposed Motion:

Approve FWP's recommendation to authorize the take of up to five peregrine falcon nestlings for falconry purposes in 2011 within a take period of June 1–August 31.